

ASSEMBLY BILL

No. 326

Introduced by Assembly Member Morrell

February 13, 2013

An act to add Section 142.5 to the Labor Code, relating to occupational safety and health standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 326, as introduced, Morrell. Occupational safety and health standards: reporting.

Existing law provides that the Occupational Safety and Health Standards Board is the only agency in the state authorized to adopt, amend, or repeal occupational safety and health standards, and requires the board to adopt standards that are at least as effective as federal standards promulgated under the federal Occupational Safety and Health Act of 1970, within a specified time. Existing regulations of the board govern reporting of work-connected fatalities and serious injuries.

This bill would require the board to amend state standards that govern reporting of work-related injuries to conform to specified federal regulations that require reporting of each fatality or multiple hospitalization incident that occurs within 30 days of a work-related incident.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 142.5 is added to the Labor Code, to
2 read:

1 142.5. (a) The board shall amend state standards including,
2 but not limited to, the definition of “serious injury or illness” in
3 Section 330(h) of Title 8 of the Code of Regulations, and the term
4 “serious injury or illness” as described in Section 342 of Title 8,
5 of the Code of Regulations, that govern the reporting of
6 work-connected fatalities and serious injuries, to conform to
7 Section 1904.39(b)(6) of Title 29 of the Code of Federal
8 Regulations, requiring reporting of each fatality or multiple
9 hospitalization incident that occurs within 30 days of a work-related
10 incident.

11 (b) Consistent with Section 1904.39(b)(6) of Title 29 of the
12 Code of Federal Regulations, nothing in this section shall be
13 construed to require the reporting to the Division of Occupational
14 Safety and Health of any work-connected fatality or
15 hospitalizations that occur after 30 days of a work-related incident.